

lentary, work-house, or penal farm, (when such institutions shall exist, for a period not less than three months, nor more than ten years; with such im- position of hard labor and solitary con- finement as may be directed; whipping in all cases involving the *crimen falsi*; disqualification to vote, for a term of years not exceeding twenty, at any election made by the people of this State, or any part thereof, for any civil or political office; confinement in tread- mill of stocks, solitary confinement, hard labor, corporal punishment; imprison- ment, not less than three months nor more than ten years; fine, not less than one hundred dollars, nor more than ten years; fine, not one hundred dollars, nor more than five thousand dollars. But no punishment more degrading than imprisonment shall be imposed on a white person for a crime not in- famous.

SOME MISDEMEANORS.

SEC. V. The offences specified in this fifth section, shall be aggravated misdemeanors, to wit: For any person to administer or attempt to administer to any other person, or to cause to be taken, or to attempt to cause to be taken, by any other person, any poison, chloroform, septic, or other deleterious thing; or for him to commit an assault on any other person, with intent in any of these cases, to commit the crime of murder, or the crime of rape, or the crime of robbery or larceny, or with the intent to maim, disfigure or disable such other person, or to do some other grievous bodily harm to such other per- son, or with intent to resist or prevent the lawful apprehension or detainer of any person, although no bodily injury may be effected; for any servant to steal any chattel, money or valuable security below the value of ten dollars, belonging to, or in the possession or power of his master or employer, or being in any dwelling house; for any person un- lawfully and maliciously to burn or de- stroy, or caused to be burned or de- stroyed, any agricultural product, al- though property to the value of ten dol- lars may not thereby be destroyed; for a servant to assault his master or em- ployer, or any member of his master's or employer's family, or any person au- thorized to direct and control them.

SEC. VI. All simple larcenies and thefts, where the value of the goods and chattels, moneys and valuable securities is stolen, is less than ten dollars, shall be misdemeanors, punishable by whipping, corporal punishment, hard labor, and the necessary imprisonment, at the dis- cretion of the Court.

SEC. VII. Of chattels, moneys and valuable securities, which were deliv- ered by the owners thereof to any other person to be kept, carried or otherwise dealt with for the owner, or which were in the custody of any other person, un- der any trust reposed in such other by the owner, the felonious carrying away by such other person, shall be larceny.

SEC. VIII. If any clerk, servant or other employee, shall receive or take in- to his possession any chattel, money or valuable security, for or in the name of, or on the account of his employer or master, and shall fraudulently embezzle the same, or any part thereof, such clerk, servant or employee shall, upon conviction thereof, be punished in the same way as if he had been convicted of hav- ing feloniously stolen from the employer or master, chattels, moneys or valuable securities of the same amount, in value. In any such case, except when the of- fence shall relate to a chattel, it shall be sufficient to allege the embezzlement to be of money, without specifying any particular coin or valuable security, and to prove the embezzlement of any amount of moneys or valuable securities. If in any such case, upon the trial the proof shall show a larceny, the Jury shall be at liberty to return a verdict that the offender is not guilty of embezzlement, but is guilty of simple larceny, or of larceny as a servant, as the case may be; and upon the trial of a clerk, servant or employee for larceny, if the proof shall show an embezzlement, the Jury shall be at liberty to return a ver- dict that the offender is not guilty of larceny, but is guilty of embezzlement, and thereupon, in either case, the effect shall be the same as if the offence whereof the offender is found guilty had been specially alleged; the amount in value being taken to be that which is al- leged, unless the verdict shall fix a less amount. No person tried for embezzle- ment or larceny as aforesaid, shall be liable to be afterwards prosecuted for larceny or embezzlement upon the same facts.

SEC. IX. If any person shall incite, hire or counsel a servant to commit a larceny or embezzlement of any chattels, money or valuable security of his mas- ter, such offender shall be guilty of an offence, and according to the event, may

be a misdemeanor, and upon conviction be punished as if he had been convicted of simple larceny of goods below the value of ten dollars. If the said larceny or embezzlement should be committed by the servant and be itself only a misde- meanor, the offender aforesaid shall be deemed a principal in that misdemeanor, and upon conviction be punished accord- ingly. If the said larceny or embezzle- ment committed by the servant should be a felony, the offender aforesaid shall be an accessory before the fact, may be tried and convicted, whether his princi- pal be or be not previously convicted, and upon conviction shall be punished according to the nature of his crime un- der the law.

SEC. X. A person of color who is in the employment of a master engaged in husbandry, shall not have the right to sell any corn, rice, peas, wheat or other grain, any flour, cotton, fodder, hay, ba- con, fresh meat of any kind, poultry of any kind, animal of any kind, or any other product of a farm, without having written evidence from such master or some person authorized by him, or from the District Judge or a magistrate, that he has the right to sell such product; and if any person shall directly or indi- rectly purchase any such product from such person of color, without such writ- ten evidence, the purchaser and seller shall each be guilty of misdemeanor. The purchaser, upon conviction of any such offence, shall be liable to a fine not exceeding five dollars, and to suffer im- prisonment not exceeding twelve months. The seller shall be liable to a fine of at least equal to twice the value of the product sold, and if that be not immediately paid, shall suffer corporal punishment.

SEC. XI. It shall be a misdemeanor, for any person not authorized, to write or give to a person of color a writing which professes to show evidence of the right of that person of color to sell any product of a farm, which, by the section last preceding, he is forbidden to sell without written evidence; and any per- son convicted of this misdemeanor shall be liable to the same extent as the pur- chaser, in the section last preceding, is made liable; and it shall be a misde- meanor for a person of color to exhibit as evidence of his right to sell any product, a writing which he knows to be false or counterfeited, or to have been written or given by any person not authorized; and, on conviction of this misdemeanor before a District Court or Magistrate, such person of color shall be liable, as in the section last preceding, the seller is made liable. These provisions shall *mutatis mutandis* extend to cases where the writing professes to be a permit of ab- sence, or permit of any other kind. The fines in any of these cases being at the discretion of the Judge or Magis- trate.

SEC. XIII. Where no special punish- ment is provided for a misdemeanor, it shall, according to its nature and degree, be punished at the discretion of the Court, by one or more of the modes of punishment which, in the fourth section of this Act, have been enumerated for a felony with benefit of clergy, except transportation.

SEC. XIII. Persons of color consti- tute no part of the Militia of the State, and no one of them shall, without per- mission in writing from the District Judge or Magistrate, be allowed to keep a fire-arm, sword or other military weapon; except that one of them who is the owner of the farm, may keep a shot- gun or rifle, such as is ordinarily used in hunting, but not a pistol, musket or other firearm or weapon appropriate for purposes of war. The District Judge or a Magistrate may give an order, under which any weapon unlawfully kept may be seized and sold, the proceeds of sale to go into the District Court Fund. The possession of a weapon in violation of this Act shall be a misdemeanor, which shall be tried before a District Court or a Magistrate, and in case of conviction, shall be punished by a fine equal to twice the value of the weapon so unlawfully kept, and if that be not immediately paid, by corporal punish- ment.

SEC. XIV. It shall not be lawful for a person of color to be the owner in whole or in part, of any distil- lery where spirituous liquors of any kind are sold by retail; nor for a person of color to be engaged in distilling any spirituous liquors, or in retailing the same in a shop or elsewhere. A person of color who shall do anything contrary to the prohibitions herein contained, shall be guilty of a misdemeanor, and, upon conviction, may be punished by fine or corporal punishment and hard la- bor, as to the District Judge or Magis- trate before whom he may be tried, shall seem, meet.

SEC. XV. If any person shall falsely personate any master or employer, and shall, either personally or in writing, give any false forged or counterfeited

character to any person offering himself to be hired as a servant, such person so offending shall be guilty of misdemea- nor.

SEC. XVI. If any person shall know- ingly and wilfully pretend, or falsely assert in writing, that any servant has been hired or retained for any period of time whatsoever or in any station or capacity whatever, other than that for which, or in which such servant shall have been hired or retained, such per- son so offending shall be guilty of misde- meanor.

SEC. XVII. If any person shall knowingly and wilfully pretend, or falsely assert in writing, that any ser- vant was discharged, or left his service, at any other time than that at which he was discharged or actually left such ser- vice, or that any such servant had not been hired or employed in any person's service, contrary to truth, then, in ei- ther of these cases, such person shall be guilty of misdemeanor.

SEC. XVIII. If any person shall offer him- self as a servant, asserting or pretend- ing that he had served in any service in which he had not actually have served, or with false, forged or coun- terfeit certificate of his character, or shall, in any way, add to, or alter, efface or erase any de, matter or thing con- tained in, or referred to, in any certifi- cate given on by his last or former actual master or employer, or by any other person authorized by such master or employer to give the same, then, in either of these cases, such per- son so offending shall be guilty of a misde- meanor.

SEC. XIX. Any person, having before been in service, shall, when offer- ing himself as a servant in any service whatsoever, falsly and wilfully pretend not to have been or retained in any previous serva such person so offend- ing shall be guilty of a misdemeanor.

SEC. XX. In case of conviction of either of the misdemeanors specified in the five sections last preceding, the pun- ishment shall a fine not exceeding one hundred dollars; and in case the fine shall not be immediately paid, there shall be substitution of other punish- ments, as hereafter provided.

SEC. XXI. Every willful trespass is here by declared to be a misdemeanor, and any person guilty thereof may be either sued for damages, or prosecuted for the misdemeanor, at the option of the party injured; and, in case of conviction of the misdemeanor, the punishment shall be a fine applied to the damage done, and the circumstances of enormity at- tending the same, with substitution of other punishment, as hereinafter provid- ed, if the fine not immediately paid.

SEC. XXII. No person of color shall migrate into or reside in this State, un- less within ten days after his arrival within the same shall enter into a bond with two holders as sureties, to be approved by the Judge of the Dis- trict Court or Magistrate, in a penalty of one hundred dollars, conditioned for his good behavior and for his support, if he should be unable to support him- self. And if any such person shall fail to execute such bond as aforesaid, the District Judge or any Magistrate is hereby authorized and required upon complaint and proof thereof, to issue his warrant commanding such per- son of color leave the State within ten days thereafter. And if any such person, so ordered to leave the State, shall not leave the State within the time prescribed by such warrant, he shall, upon conviction hereof, be liable to such corporal punishment as the Court in its discretion shall think fit to order. And if any person so convicted and punished, shall remain within the State more than seven days after the punishment has been inflicted, or hav- ing left the State, shall return to the same, he shall, upon conviction thereof, be transported beyond the limits of this State for life, or be kept to hard labor, with occasional solitary confinement, for a period not exceeding five years. And if any person of color, who shall have been convicted of any infamous of- fence in any State or country, shall come brought into this State, such person of color, on conviction thereof, shall be transported beyond the limits of this State for life, or be kept to hard labor, with occasional solitary confinement, for a period not exceeding fifteen years.

[Contd in our next.]

The cholera lingers in Europe. A letter from France says that the re- cent progress the pestilence there af- fords a striking confirmation of the opinion sometimes held that the approach of the cold is a guarantee of im- munity against attacks. After a brief inter-comparative repose dur- ing the autumn months the mysterious enemy is once on its deadly march. The Levant notices the reap- pearance of cholera at Alexandria and

at Trabizond, after having totally ceased. Other places are afflicted in like manner. At Naples, November 15th, there were 255 cases of cholera, and 147 deaths. The deaths from cholera in France during the month of October were 4,020, and 379 from the 6th to the 12th of No- vember.

WINNSBORO.

Thursday Morning, December 28, 1865.

New Advertisements.

We refer our patrons of all classes to the advertisement of D. F. Fleming & Co., wholesale dealers in Boots, Shoes, etc., No. 2 Hayne-street, Charleston. They have resumed business at their old stand and are especially commended to the consideration of our mercantile readers throughout the District.

We also appear in behalf of John Cummins, Boot Shoe and Hat House and agent for Lead Works, Linseed and Kerosene Oils, etc. Read his card:

Jno. Bratton offers for rent the sever- al plantations comprising estate of T. S. DuBose. We invite attention to the notice in another column.

The following advertisements will also be found in this issue:

Hardware, Crockery, &c., by Elliott & Co.

Estate Sale by Jas. M. Rutland and C. D. Ford

Notice, from Miss Peronneau.

Notice, from Miss Dargan.

Horse Stolen, by J. T. Aldrich.

Cooking Stove for sale.

The following appointments of Assis- tant Assessors for this District, have been made by the President, viz:

Fairfield — Richard W. Gaillard, Robert Hawthorn.

We publish this morning as much of the Acts of the Legislature as we could without encroaching too largely upon our reading columns.

This publication will be continued un- til the most material and important are presented to our readers.

In our next issue we will advertise the scale of charges that will control this of- fice during the ensuing year. It will be found to be greatly reduced.

The President has relieved BENJAMIN F. PERRY, Provisional Governor of South Carolina, and directed him to transfer the property of the State to the Governor elect, James L. Orr. The despatches announcing this action are precisely similar to those addressed a day or two ago to the Governors of Alabama and Georgia.

District Judge.

Our District at large will be gratified at the announcement of the election of Mr. WILLIAM R. ROBERTSON to the District Judgeship.

It is a most responsible and delicate trust; to protect in good faith the negro in the exercise of his new franchise; to adjudicate the multiform and perplexed cases that will be referred to the Court, and to inaugurate a system of jurispru- dence suitable to "freedmen" that will always act as a pledge of justice to them. As a novel and original institution, without precedent or practice to assist and guide in the administration of its functions, much must of necessity de- pend upon the spirit of equity of the first incumbents, their firmness, sound judgment and strong practical sense. Mr. ROBERTSON presents these qualifi- cations conspicuously and possesses moreover the advantage of a long pro- fessional experience.

We congratulate the District upon this selection.

BROKEN BANKS.—Our citizens will do well to remember that the following banks are reported broken, and that the money is being liberally distributed through the South:

- First National Bank of New York.
- National Bank of Africa, N. Y.
- " " Bedford, Me.
- " " Hallowell, Me.
- " " Pittsburg, Pa.
- " " Syracuse, N. Y.
- " " Salem, Mass.
- " " Bangor, Me.

TELEGRAPHIC.

From Washington—Gen. Howard has issued an Address relative to the Freed- men—The Southern Members Leaving.

WASHINGTON, D. C., Dec. 22.— Gen. Howard, Commissioner of the Freedmen's affairs, has issued a stringent order for a thorough inspection of Freed- men's affairs in the South, in order to remedy the evils complained of by Gen. Grant.

Agents acting contrary to instructions are to be tried by court martial.

The Southern members have resolv- ed to go home and not return till after the 4th of March.

From Washington.

WASHINGTON, Dec. 22.—The vote in the city yesterday, was a test question of the sentiments of the citizens on the question of negro suffrage, and resulted in 35 in favor, and over 6,500 votes op- posed to the measure.

The name of Hon. Lewis D. Campbell, of Ohio, has been sent to the Senate for confirmation as Minister to Mexico. Hon. Mr. Logan declines the appoint- ment.

Commercial.

NEW YORK, December 22.—Cotton firm with sales at 51 a 52 cents. Naval Stores dull.

Gold, 146½.

The Montgomery Advertiser of the 5th says: "Bird H. Young the original of 'Simon Suggs,' of Tallapoosa county, died last month at his residence in that county. He lived to be nearly seventy years of age."

NO. 4, BANK RANGE.

THE undersigned in addition to the very extensive variety of GOODS, have just received a large assortment of Crockery and Glass-ware. HARDWARE, consisting of all kinds of Locks, Hinges, Saws, Axes, Fryng Pans, Smoothing Irons, Shovel and Tongs, Knives, Forks, &c. &c. &c. GROCERIES, Tea, Coffee, Sugar, Raisins, Almonds, &c. &c. &c. Live-pool and Table salt, Linseed, Neat-foot and Castor Oil, Lard, Putty &c. All kinds of Shoe Findings and Leather, together with a variety of articles too nu- merous to mention.

Five us a call and ask for what you don't see.

dec 28'65—2 ELLIOTT & CO.

TO RENT

ALL the lands of the estate of Theodore S. DuBose, decas- ed.

COMPRISING

One Tract of land known as JOSELAND, situated three and a half miles from Winns- boro', on the Chester road, containing six or seven hundred acres. On this place is the family residence, with garden, orchard and vineyard; with all plantation buildings, except gin-house, in good order.

One Tract adjoining this, known as ROCK- SPRING, containing six or seven hundred acres; with overseer's house and all ne- cessary plantation buildings including gin house.

One Tract known as FARMINGTON, situ- ated nine miles from Winnsboro', on the Wateree creek, adjoining lands of Mobley, Thorne, Harper, Bulware, and others. Containing three thousand acres more or less. On this plantation are residence, overseer's house and all necessary build- ings, except Gin House. This is one of the best plantations in the District.

These places will be offered for Rent to the highest bidder at the Court House, in Winnsboro', on Monday, January 15th, 1866, unless previously disposed of. Any person desiring to rent these places before that time, or information respecting them, will apply to the Executor, at his residence in Winnsboro'.

dec 28'65 tr JNO. BRATTON, Exor.

Instruction in Music.

MISS DARGAN will take a limited num- ber of pupils in MUSIC, Vocal and Instrumental. A class of young ladies will also be formed for chorus singing. Those desirous of making an engagement, will please apply at once.

dec 28'65—1

MISS PERONNEAU.

WILL commence the instruction of her classes on Monday, 8th January, at the Episcopal Parsonage.

Reference—Rev. P. Trappier Keith, Rev. J. H. Elliott, Mr. Edward Miles, Rev. W. J. DuBose.

dec 28'65—3

\$10 REWARD.

STOLEN from my plantation on the night of the 23d inst., one grey HORSE, about 9 years old, paces and stands a little on the outside of his feet, 15½ hands high.

J. T. ALDRICH.

dec 28'65—5

Cooking Stove for Sale.

NEW and in perfect order. Apply at this office.

dec 28'65 3